



Talbot County, Maryland



Easton, Maryland

MINUTES

March 10, 2009

Present – President Philip Carey Foster, Vice President Levin F. Harrison, IV, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, County Manager R. Andrew Hollis, Assistant County Manager James Urbanczyk, and County Attorney Michael Pullen.

- I. Agenda – Agenda of March 10, 2009 was approved upon motion by Mr. Duncan, seconded by Mr. Pack, with the Council voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan - Aye
Mr. Bartlett - Aye
Mr. Harrison – Aye

- II. Minutes – Minutes of February 24, 2009 were approved upon motion by Mr. Bartlett, seconded by Mr. Pack, with the Council voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison – Aye

- III. Disbursements – Disbursements of March 3, 2009, and March 10, 2009 were approved upon motion by Mr. Pack, seconded by Mr. Harrison, with the Council voting 5 - 0 as follows:

Mr. Foster - Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison - Aye

- IV. Certificates of Recognition to Maryland State Troopers William Ryan Abey and Keneth A. Myers, Jr. – The Clerk read into the record a Certificate of Recognition for Troopers Abey and Myers, respectively. The Certificates outlined the duties and responsibilities of Maryland State Troopers and recognized Trooper First Class Abey as the Easton Barrack Trooper of the Year in 2008 and Trooper Myers as a nominee for Easton Barrack Trooper of the Year in 2008. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council members approved the Certificates of Recognition by voting 5 – 0 as follows:

Mr. Foster - Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison – Aye

Mr. Duncan presented the Certificate to Trooper Abey. Mr. Foster presented the Certificate to Trooper Myers.

- V. Update on Pending Emergency Response Legislation as Proposed by Maryland Senate Bill 650 (SB650) and Maryland Senate Bill 764 (SB764) – John Hanes, President, Talbot County Fire and Rescue Association – Mr. Hanes briefed the Council on provisions contained in the proposed legislation: SB650 would require the reorganization of the helicopter system and limit the Maryland State Police helicopters to four for homeland security and law enforcement missions; eight helicopters, the services for which would be bid out among private providers, would be used for Medevac missions. Mr. Hanes advised Council that, in his opinion, SB650, if passed, could potentially also reorganize Maryland’s entire emergency services delivery system, a system which Mr. Hanes stated is recognized as a world-class emergency response system. He continued that SB764, as proposed, would create a new state level Department of Emergency Services to oversee the operations of several emergency services agencies on a statewide level. Mr. Foster read a proposed letter of opposition to SB650 and SB764 into the record. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved forwarding the letter to Senator Colburn by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison - Aye

- VI. Update on Mid-Shore Regional Landfills I and II – Joe Zimmerman, Director of Finance/Treasurer, Maryland Environmental Service; Steve Tomczewski, Program Director, Environmental Operations, Maryland Environmental Service – Mr. Zimmerman briefed the Council on progress related to the financing and construction of the Mid-Shore II Regional Landfill, scheduled to open in Caroline County in January 2011, the financing of the closure of Mid-Shore I in Talbot County, scheduled to close December 31, 2010, landfill tipping fees for various jurisdictions throughout the state, and expressed concern about the recent decline in tonnage at Mid-Shore I due to a downturn in the economy. Mr. Zimmerman advised that the closure of Mid-Shore I is already funded and there will be no carry over to Mid-shore II, adding that the closure of Mid-Shore II is anticipated to be funded at the beginning of the 20-year cycle of the landfill. Transition from Mid-Shore I to Mid-Shore II is anticipated to being in Fall 2010. Maryland Environmental Service will continue to periodically update the Council.

- VII. Eligible for Vote:

Future Plans for Proposed Bridge Replacement of the Leeds Creek Bridge Located Near the Villages of Tunis Mills and Copperville – Prior to Council’s consideration of the proposed replacement of the Leeds Creek Bridge, Mr. Harrison provided a brief synopsis as to the history of the present Knapps Narrows Bridge on Tilghman Island. Council members then requested information from Jesse Fearins, Assistant County Engineer, on the various options for replacement of the bridge, which included proposed bridge height, clearance, construction materials to be used, anticipated costs of same, and add-ons. Council reiterated some of the comments made at the public hearing held on the matter on Tuesday, February 24, 2009. Council discussion ensued and several Council members commented on their preferences as to height, clearance, building materials, swimming platform, etc. Straw polls taken throughout the discussion were as follows:

Clearance Under the Bridge: Mr. Foster - 12 to 15 inches
Mr. Pack - 3 feet
Mr. Duncan - 3.6 feet
Mr. Bartlett - 12 to 15 inches
Mr. Harrison - 3 feet

Bridge Surface: Mr. Foster – Wood
Mr. Pack – Asphalt
Mr. Duncan – Asphalt
Mr. Bartlett – Asphalt
Mr. Harrison – Wood

Swimming Platform: Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison – Aye

Adjacent Walkway on Bridge: Mr. Foster – Aye
Mr. Pack – Aye with the contingency that the construction would not interfere with any water rights of property owners
Mr. Duncan – Aye with the contingency that the construction would not interfere with any water rights of property owners, and that no fishing or crabbing be allowed from the walkway
Mr. Bartlett – Aye
Mr. Harrison – Aye

Mr. Foster requested that the “no fishing and crabbing” be considered as a separate matter at a later date.

A motion was made by Mr. Harrison to move forward with the replacement of the Tunis Mills Bridge (Leeds Creek Bridge) and to authorize the design of the bridge with the clearance underneath the bridge not to exceed 36 inches. Mr. Harrison then corrected himself and stated that his motion was to authorize the design of the bridge with the clearance underneath the bridge not to exceed 42 inches (three and one-half feet). Council discussion continued on the matter of bridge height and clearance. Mr. Harrison modified his motion to replace the bridge with the clearance under the center span being no more than three feet six inches (3’6”) higher than it exists today (identified as option C), with asphalt decking, a swimming platform and sidewalk or pedestrian walkway. Mr. Duncan seconded the motion. Council discussion again continued with Mr. Duncan requesting to withdraw his second to Mr. Harrison’s motion. Mr. Harrison amended his motion to raise the bridge so that the clearance on the mid-span is two feet (2’) higher than it exists today; Mr. Duncan seconded the motion. Council approved Mr. Harrison’s amendment to his motion by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison – Aye

Council approved the design of the bridge as incorporated in the motion by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison – Aye

VIII. Public Hearings:

Continuation of the public hearing was held on Bill No. 1162, A BILL TO (1) REPEAL TALBOT COUNTY CODE CHAPTER 168, "SUBDIVISION REGULATIONS" IN ITS ENTIRETY; (2) REPEAL TALBOT COUNTY CODE CHAPTER 190, "ZONING" IN ITS ENTIRETY; (3) ENACT AN ENTIRE NEW CHAPTER 190 TALBOT COUNTY CODE, ENTITLED "ZONING, SUBDIVISION AND LAND DEVELOPMENT"; AND, (4) AMEND CERTAIN SECTIONS OF CHAPTERS 20, 24 AND 73 TO IMPLEMENT ZONING CONTROLS AND REGULATIONS CONSISTENT WITH AND PURSUANT TO ADOPTION OF THE 2005 TALBOT COUNTY COMPREHENSIVE PLAN, *and amendments*. Upon motion by Mr. Harrison, and unanimous consent of the Council, a full reading of Bill No. 1162 was waived. Prior to public comment on the legislation, Mary Kay Verdery, Assistant Planning Officer, publicly thanked the public for their input and thanked the Council and all individuals and groups for their hard work, dedication, and thoroughness during the drafting of the Phase II Zoning Ordinance Rewrite, Bill No. 1162. Ms. Verdery explained that new zoning subdivision and land management chapter will incorporate concepts of the 1974 and 1991 zoning ordinances, 1989 critical area law, the 2005 Comprehensive Plan, and the adoption of phase one of the map amendments of 2007. Ms. Verdery briefly outlined the Planning Commission's recommendations made at their meeting of Wednesday, March 4, 2009 regarding proposed amendments related to (1) tillage; (2) piers; (3) sewage disposal area; (4) buffer expansion; and (5) subdivision of an accessory dwelling unit from principal residence. The Planning Commission's recommendations also included an amendment to an amendment proposed by Mr. Foster regarding piers. The public was then afforded an opportunity to comment on the legislation and proposed amendments. Mr. Foster requested that Mr. Harrison take the gavel. Mr. Foster then made a motion to accept the Planning Commission's proposed amendment, Amendment 2C, which would permit shared piers as private piers to encourage the use of shared piers. Mr. Foster reclaimed the gavel. The Council did not approve Amendment 2C by voting 2 – 3 as follows:

Mr. Foster – Aye
Mr. Pack – Nay
Mr. Duncan – Nay
Mr. Bartlett – Nay
Mr. Harrison - Aye

Mr. Foster's original amendment to Change Private Piers from Special Exceptions to Accessory Uses; to Change Community Piers from Accessory Uses to Special Exceptions remained unchanged.

Amendment 2: Add §190-133 B, to provide that landowners shall establish and maintain a vegetated filter strip of not less than 25-feet along tidal shorelines, (striking "tributary streams") of agricultural fields utilizing no-till farming practices. The filter strip shall be increased to 60- feet long tidal shorelines on those fields utilizing conventional tillage methods. All agricultural fields shall maintain a 25 foot vegetated filter strip along tributary streams. The vegetated filter strip shall be maintained until such time as the landowner is implementing, under an approved Soil Conservation and Water Quality Plan, a program of best management practices for the specific purposes of improving water quality and protecting plant and wildlife habitat; and provided that the portion of the Soil Conservation and Water Quality Plan being implemented achieves the water quality and habitat protection objectives of the vegetated filter strip, *as amended*, on February 24, 2009 to include definitions for "Conventional Tillage," "Conservation Tillage" / "No Till", was brought forward for vote. Mr. Bartlett withdrew Amendment 2, citing lack of receipt of

sufficient information from the U.S. Department of Agriculture to determine whether his proposed legislation would impair farmers' ability to obtain Conservation Resource Enhancement Program (CREP) funding. Mr. Duncan, the only other sponsor of the amendment, also withdrew his sponsorship.

Mr. Foster's Proposed Amendment to the Planning Commission's Recommendation 5, intended to clarify the requirements in sewage disposal areas, was brought forward for consideration. Mr. Pullen stated that the amendment would eliminate both sections 190E and 190-116 in their entirety. The Council approved the amendment to the Planning Commission's recommendation 5 by voting 3 – 2 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Bartlett – Nay
Mr. Harrison – Aye

Planning Commission Recommendation 5, as amended, will be incorporated into Bill No. 1162.

As a result of the Council's action, Mr. Foster's proposed amendment to Bill No. 1162, Amendment to Planning Commission Recommendation 5 was moot, as was Planning Commission Recommendation 3A, Proposed Amendments to Bill No. 1162, Planning Commission Recommendations 3 & 5 (February 2009).

Planning Commission Recommendation 4A, Proposed Amendments to Bill No. 1162, To amend text of Sections 190-123 and 190-139 to provide clarification of process for expansion of buffers for contiguous soils with steep slopes and sensitive areas such as highly erodible soils or hydric soils, was brought forward for consideration. The Council approved Amendment 4A by voting 4 – 1 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Bartlett – Aye
Mr. Harrison – Aye

Planning Commission Recommendation 4A will be incorporated into Bill No. 1162.

Planning Commission Recommendation 5A, Proposed Amendment to Bill No. 1162 to define when and if an accessory dwelling unit may be subdivided from a principal residence, was brought forward for consideration. The Council approved Planning Commission Recommendation 5A by voting 3 – 2 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Bartlett – Nay
Mr. Harrison – Aye

Planning Commission Recommendation 5A will be incorporated into Bill No. 1162.

Mr. Foster's amendment to Change Private Piers from Special Exceptions to Accessory Uses; to Change Community Piers from Accessory Uses to Special Exceptions was brought forward for consideration. The amendment would leave existing language in the Zoning Ordinance rather than make the changes as

provided for in the current draft of Bill No. 1162. The Council approved Mr. Foster's amendment by voting 3 – 2 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Bartlett – Nay
Mr. Harrison – Aye

Mr. Foster requested that the Planning Commission provide more specific standards to Council for their review.

The amendment will be incorporated into Bill No. 1162.

Planning Commission Recommendation 2B, Proposed Amendments to Bill No. 1162, An amendment to allow multiple community piers to serve a riparian subdivision with Planning Commission approval was brought forward for Council's consideration. The proposed amendment includes language as outlined in Mr. Foster's amendment to clarify required construction timelines. The Council approved Planning Commission Recommendation 2B by voting 3 – 2 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan- Nay
Mr. Bartlett – Nay
Mr. Harrison – Aye

Planning Commission Recommendation 2B will be incorporated into Bill No. 1162.

IX. Eligible for Vote:

Bill No. 1162, A BILL TO (1) REPEAL TALBOT COUNTY CODE CHAPTER 168, "SUBDIVISION REGULATIONS" IN ITS ENTIRETY; (2) REPEAL TALBOT COUNTY CODE CHAPTER 190, "ZONING" IN ITS ENTIRETY; (3) ENACT AN ENTIRE NEW CHAPTER 190 TALBOT COUNTY CODE, ENTITLED "ZONING, SUBDIVISION AND LAND DEVELOPMENT"; AND, (4) AMEND CERTAIN SECTIONS OF CHAPTERS 20, 24 AND 73 TO IMPLEMENT ZONING CONTROLS AND REGULATIONS CONSISTENT WITH AND PURSUANT TO ADOPTION OF THE 2005 TALBOT COUNTY COMPREHENSIVE PLAN, *as amended*, was brought forward for vote. Upon motion by Mr. Harrison, and unanimous consent of the Council, a full reading of Bill No. 1162 was waived. Council members made the following comments prior to the vote:

Mr. Bartlett – Mr. Bartlett thanked all individuals, both past and present, who had been involved in the process of the development of the Phase II Zoning Ordinance Rewrite, for their hard work on the legislation.

Mr. Duncan - Mr. Duncan thanked the Planning Commission, County staff and all others who had worked on development of the comprehensive planning document over a several year period. He stated that compromises had been made by all parties but the document had been fully vetted to the public for their input, with the ultimate goal, in his opinion, of preserving Talbot County for future generations.

Mr. Harrison - Mr. Harrison thanked County staff, the Planning Commission, and the public for their input. He inquired of Ms. Verdery as to how the effective date of the

legislation would affect applicants in the zoning approval pipeline. Ms. Verdery responded that when the motion is made to adopt the legislation the Office of Planning and Zoning would like to request that the motion include a restriction that the new zoning ordinance affect only those who have not received preliminary approval at the time of enactment; continuing that said restriction would be consistent with Council's action on previous similar legislation. Anyone who has not reached preliminary approval would be subject to the impacts of Bill No. 1162. Council discussion ensued followed by a consensus as to at what point during the four stages of the approval process: application, sketch, preliminary or final, applicants must comply with the provisions of Bill No. 1162:

Mr. Bartlett – Preliminary approval
Mr. Duncan - Preliminary approval
Mr. Harrison - Application
Mr. Pack - Sketch

Upon motion by Mr. Pack, seconded by Mr. Harrison, the Council amended the ordinance to make it effective, or not apply to people who have reached the sketch approval stage by March 10, 2009, by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison - Aye

Section 5 of the ordinance will be changed to include the amendment as approved by the Council that those who have received sketch approval by March 10, 2009 will be grandfathered.

Council approved Bill No. 1162, as amended, by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison – Aye

Following the Council's vote on Bill No. 1162, Mr. Foster commented as follows:

Mr. Foster - Mr. Foster stated that he wished to add his comments to those of his colleagues and thanked the members of the Planning Commission, County staff, and all others who had worked so long and hard on the zoning ordinance, adding that he appreciated the tolerance of the public during the process. He stated that he realized that the appearance of all the amendments and the shuffling of paperwork may not look good, but the purpose of the bill is to improve the county and to preserve it, and by taking the time to amend the document at this point in the process, the end product, in his opinion, is a better one, adding that no individual Council member likes everything in the bill. He concluded his comments by commending all who had participated and stated that the issue of piers would be brought back at a later date.

- X. Presentation of Request for Application for Recertification by Maryland Agricultural Land Preservation Foundation (MALPF) – Stacey Dahlstrom, Planning Officer; Martin Sokolich, Long Range Planner – Mr. Sokolich briefed the Council on his request to send a letter of support for an application for recertification to the MALPF program. Talbot County has been a Certified County in the MALPF program since 1998 and recertification is necessary in order to continue to receive funding from the program. Upon motion by Mr. Duncan, seconded by Mr. Pack, the Council approved forwarding a letter of support by voting 5 – 0 as follows:

Mr. Foster –Aye
Mr. Pack –Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison - Aye

XI. County Manager’s Report:

- A. Talbot County Agricultural Land Preservation Advisory Board - Requested Council approval of the reappointment of Elaine Altvater to a five-year term on the Talbot County Agricultural Land Preservation Advisory Board; said term to expire on March 13, 2014. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett – Aye
Mr. Harrison – Aye

- B. Talbot County Board of Electrical Examiners - Requested Council approval for the reappointment of Cedric Samuels to a four-year term on the Talbot County Board of Electrical Examiners; said term to expire April 1, 2013. Upon motion by Mr. Pack, seconded by Mr. Harrison, the Council approved the reappointment by voting 5 – 0 as follows:

Mr. Foster – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison - Aye

XII. Council Comments:

- Mr. Pack - Mr. Pack thanked everyone for all the hard work which went into the drafting of the zoning ordinance rewrite. He thanked everyone for their professionalism during several tense moments, adding that the legislation is just one piece in the process, and in his opinion, there will be many more times when the Council will be able to come to the end of a day like this, knowing that they did their best to craft a piece of legislation from which the entire County can benefit.
- Mr. Duncan- No comments.
- Mr. Foster - Mr. Foster stated that there were some terrific entertainment opportunities in Talbot County, stating that he had recently attended the St. Michaels Middle-High

School play, *The Secret Garden*, in the new high school auditorium, adding that the auditorium was comfortable and the acoustics were very good. He stated that, in his opinion, the auditorium was exactly the right size for the community it serves. He reminded the audience that the Easton High School play, *Tommy*, begins this coming weekend, adding that, he looks forward to their productions each year.

Mr. Bartlett – Mr. Bartlett commented on the closing of Cadmus, resulting loss of jobs to approximately 184 people, and the effect it will have on the community. He congratulated Paige Bethke, Director of the Talbot County Office of Economic Development on her efforts to connect those displaced individuals with services available to them. He commended the Council for, in his opinion, “being ahead of the curve,” and seeing the importance of keeping the hospital and the jobs it provides in the Town of Easton and the community. He continued, stating that, just as the County and the Town of Easton had joined together in their efforts to keep the hospital in the Town of Easton, we should all work together to get through these rough economic times.

Mr. Harrison - Mr. Harrison stated that he, Mr. Foster, Mr. Duncan, and Mr. Pack had attended the Governor’s Town Hall meeting where Mr. Foster and Mr. Duncan got to present questions to the Governor. He stated that he and Mr. Duncan had attended the Tilghman Fire Department banquet, adding that the event had been well attended; Mr. Duncan presented a check to the Fire Department on behalf of the County. Mr. Harrison encouraged owners of struggling businesses to call the County Office of Economic Development and be directed to the various resources available for assistance. He stated that the County Council may need to think outside the box in their efforts to try to keep county businesses open.

Mr. Foster - Mr. Foster thanked Mr. Harrison for commenting about County resources which are available to businesses. He stated that all but one County department had been willing to comply with the Council’s request to submit a budget which is four percent less than last year, adding that the departments were not enthusiastic about doing so; however, they did so, realizing that the Council is not making up an economic crisis in order to shortchange the departments. Mr. Foster added that the current economic crisis is driving up the employment rate in Talbot County, traditionally the lowest in the state. He reiterated Mr. Harrison’s comment to contact the County Office of Economic Development for assistance or direction as to where to seek assistance during the current economic climate.

XIII. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council voted to adjourn, reconvene later in Executive Session and also in Work Session, and to reconvene later in public session for budget presentations, then to reconvene in Executive Session on Tuesday, March 24, 2009 at 12:30 p.m. for discussion of legal, personnel, and real estate matters by voting 5 – 0 as follows:

- Mr. Foster – Aye
- Mr. Pack – Aye
- Mr. Duncan – Aye
- Mr. Bartlett - Aye
- Mr. Harrison - Aye

The meeting adjourned at 5:00 p.m.

The transcript of the March 10, 2009 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XIV. Presentation: Conceptual Drawings for Renovation of the Easton Branch of the Talbot County Free Library – Michael C. Pones, Design Principal, WMCRP Architects, Inc.; Robert Horvath, Executive Director, Talbot County Free Library – Mr. Pones provided a brief presentation on the proposed renovations and addition to the Easton Branch of the Talbot County Free Library. The renovations include moving all archival materials now housed in the Maryland Room to a location in the new wing so that the current Maryland Room can be used as a public meeting space; enlargement of the staff preparation area; the accessibility of meeting space for after-hours use; and the addition of a children’s wing. Mr. Pones advised that the present 18,000 square footage will remain and be renovated; an additional 7,600 to 8,000 square feet of new space will be added to the facility. Mr. Pones will continue to advise the Council as the project progresses.
- XV. Prior to the meeting on March 10, 2009 an Executive Session of the Talbot County Council convened at 12:30 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Mr. Bartlett, the Council met in Executive Session by voting 3 - 0 as follows:

Mr. Foster – Absent
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison – Absent

Mr. Harrison arrived at 12:40 p.m.
Mr. Foster arrived at 12:47 p.m.

In accordance with State Article §10-50 (a)(1) (i)(3)(7)(8) the purpose of the Executive Session was for a personnel matter to discuss appointments to various County boards and committees; for a legal matter to obtain legal advice concerning Shortwoods Farm, LLC, waterfowl ponds at the end of Runway 33, the County’s obligation under FAA grant assurances, and potential litigation; and for a real estate matter to discuss a preliminary matter that concerns the proposal for a business to relocate to Talbot County. The Executive Session ended at 1:27 p.m.

- XVI. Following the Council meeting on March 10, 2009, an Executive Session of the Talbot County Council convened at 7:05 p.m. in the County Council Conference Room and the Bradley Meeting Room. Upon motion by Mr. Duncan, seconded by Mr. Bartlett, the Council met in Executive Session by voting 5 - 0 as follows:

Mr. Foster – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Bartlett - Aye
Mr. Harrison – Aye

In accordance with State Article §10-508(a)(1)(i)(7) the purpose of the Executive Session was for a legal matter for a legal analysis of Council’s ability to defer or abate sanitary sewer charges. The Executive Session ended at 7:30 p.m.

SALE7INT ON CD@TALBOT BANK	6,185,911.42
PURCHASE CD@TALBOT BANK	(6,000,000.00)
364 DAYS@2.76% , 2/27/2010	
AMERICAN EXPRESS CHECKS	(253.75)
UHC CLAIMS 2/24/2009	(65,610.79)
INCOME TAX 2/2009	6,726,197.93
POSTAGE WIRE	(3,000.00)
BOARD OF EDUCATION 2/2009	(2,837,800.00)
GOLF COURSE EQUIPMENT LEASE 3/2009	(1,309.20)
INTEGRA 3/2009	(9,592.70)

DEPOSITS	617,858.18
CHECKS	(358,447.74)
VOID CHECK NO.S 249554,249609,249798,250171	5,370.89

BALANCE 3/03/2009 **\$10,598,714.76**

AIRPORT ACCOUNTS

AIP 25	1,926.70
AIP29	1,907.77
AIP30	1,427.40
AIP31	12,161.90
AIP32	3,265.45
AIP33-DSA	1,134.08
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-

AIRPORT ACCOUNTS TOTAL BALANCE **\$21,823.30**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
03/25/2008	03/31/09	3.01%	3,000,000.00
07/29/2008	03/31/09	3.47%	3,000,000.00
04/29/2008	04/28/09	3.30%	4,000,000.00
07/29/2008	04/28/09	3.725%	3,000,000.00
05/27/2008	05/26/09	3.61%	6,000,000.00
06/24/2008	06/29/09	3.91%	6,000,000.00
07/29/2008	07/28/09	3.73%	6,000,000.00
08/04/2008	08/25/09	3.80%	6,000,000.00
12/03/2008	09/29/09	3.17%	5,000,000.00
10/28/2008	10/27/09	4.03%	6,000,000.00
11/26/2008	11/24/09	3.96%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00

PNC - MLGIP INVESTMENTS TOTAL 0.67% 3,000,000.00

TOTAL INVESTED **\$63,000,000.00**

PETTY CASH BALANCE **\$4,050.00**

GRAND TOTAL ALL FUNDS **\$73,624,588.06**

CASH STATEMENT 3/10/2009

BALANCE 3/03/2009	\$10,598,714.76
UHC CLAIMS 3/03/2009	(47,529.64)
STATE REPORT 2/2009	(116,263.16)
SHERIFF/SUMMONS REFUNDS	(215.00)
PAYROLL – FD/SS/MS WH 3/6/2009	(124,195.84)
SECU DED	(11,860.20)
DEFERRED COMP DED	(10,147.38)
MD WH	(30,406.57)
PENSION DED	(22,262.60)
ACH TRANSFER	(11,810.00)
FLEX SPENDING ACCT	(2,442.45)
DEPOSITS	1,119,728.61
CHECKS	(628,840.78)
VOIC CHECK NO. 247487	75.00
BALANCE 3/10/2009	<u>\$10,712,544.75</u>

AIRPORT ACCOUNTS

AIP 25	1,926.70
AIP29	1,907.77
AIP30	BALANCE 3/3/2009 \$ 1,427.40
	DEPOSITS 14,998.00
	CHECK (15,788.00) 637.40
AIP31	12,161.90
AIP32	3,265.45
AIP33-DSA	BALANCE 3/3/2009 1,134.08
	DEPOSITS 39,314.00 40,448.08
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS	-
AIRPORT ACCOUNTS TOTAL BALANCE	<u>\$60,347.30</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
03/25/2008	03/31/09	3.01%	3,000,000.00
07/29/2008	03/31/09	3.47%	3,000,000.00
04/29/2008	04/28/09	3.30%	4,000,000.00
07/29/2008	04/28/09	3.725%	3,000,000.00
05/27/2008	05/26/09	3.61%	6,000,000.00
06/24/2008	06/29/09	3.91%	6,000,000.00
07/29/2008	07/28/09	3.73%	6,000,000.00
08/04/2008	08/25/09	3.80%	6,000,000.00
12/03/2008	09/29/09	3.17%	5,000,000.00
10/28/2008	10/27/09	4.03%	6,000,000.00
11/26/2008	11/24/09	3.96%	6,000,000.00
02/24/2009	02/23/10	2.76%	6,000,000.00

PNC - MLGIP INVESTMENTS TOTAL	0.58%	3,000,000.00
TOTAL INVESTED		<u>\$63,000,000.00</u>
PETTY CASH BALANCE		<u>\$4,050.00</u>
GRAND TOTAL ALL FUNDS		<u>\$73,776,942.05</u>